

Remarks

Claim Status:

Claims 8-17, 21-25, 27-29 and 31-35 are pending in the application.

Specification Amendments:

The specification has been amended to include patent and publication numbers.

Art-based Rejections:

Claim 8¹

Claim 8 recites a method including altering a pit-pattern of a visual design to embed a digital watermark therein; and then applying the embedded visual design to physical media.

In contrast, Carson (U.S. Patent No. 6,469,969) would either i) embed data in a coarse fashion so that it generates a human read watermark (e.g., a visual watermark); or ii) embed data in the media in a hidden fashion (see Col. 12, lines 40-47).

Carson does not embed a watermark in a design and then apply the embedded design to the media.

We respectfully request that claim 8 be allowed.

Claim 13

Similarly, claim 13 recites media including a plurality of pits, the media including a visual design formed by the plurality of pits; and a digital watermark embedded within the visual design.

We respectfully request that claim 13 be allowed.

¹ Claim 8 has been amended in an editorial manner and without prejudice or forfeiture of any equivalent arrangements.

Claim 21²

We note that there was no art rejection of claim 21 in the Office Action. The only rejection was a double patenting rejection over claims 11-14 of U.S. Patent Application No. 09/940,873. We respectfully traverse this rejection and ask that the examiner revisit this rejection in view of the current changes.

Claim 21 recites a method involving media comprising a first machine-readable digital watermark formed by pit placement on a data side of the media, said media further comprising a second machine-readable digital watermark embedded on a non-data side of the media. The method includes: i) receiving first optical scan data corresponding to the data side and second optical scan data corresponding to the non-data side; ii) decoding the first watermark and second watermark from the respective first and second scan data; and iii) linking to content related to the media through information carried by the first or second watermark, wherein said first watermark is compared to the second watermark to authenticate the media.

The applied art is not understood to teach or suggest such a combination. Favorable reconsideration is requested.

Claim 25³

Claim 25 recites a method to identify physical media. The method includes analyzing a visual pattern on the physical media through at least one of hashing and fingerprinting of the visual pattern to derive a plural-bit identifier from the visual pattern itself. The visual pattern is provided with a pit-pattern arranged on or in the surface of the media. The method further includes identifying the physical media through the analyzing.

Kondo (U.S. Patent No. 6,363,043) is not understood to teach or suggest such a combination.

Favorable consideration is requested.

² Claim 13 has been amended to direct its scope to an alternative aspect of the invention. As such, we expect that the scope of claim 13 will include its reasonable equivalents.

³ Claim 25 has been amended to direct its scope to an alternative aspect of the invention. As such, we expect that the scope of claim 25 will include its reasonable equivalents.

Claim 31

Analogous to claims 8 and 13, discussed above, claim 31 recites optical media with a set of pits arranged to convey a graphic design or visual image. The graphic design or visual image comprises a digital watermark embedded therein that is detectable from a 2-dimensional image of the data side.

The proposed references are not understood to teach or suggest such a combination.

Favorable consideration is requested.

Double Patenting

The provisional double-patenting rejections are not understood to pose a bar to this application issuing. We will address the double-patenting rejections at a later time, if needed.

Information Disclosure Statement:

An Information Disclosure Statement is filed concurrently herewith. Consideration of the information cited therein is respectfully requested.

Conclusion:

The application is believed to be in condition for allowance. Nevertheless, the Examiner is respectfully invited to contact the undersigned at 503-469-4685 with any questions.

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Respectfully submitted,

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